

(3) The Warden may approve a day furlough for an inmate with two years or less remaining until the inmate's anticipated release date.

(4) The Warden may approve an overnight furlough within the institution's commuting area for an inmate with 18 months or less remaining until the inmate's anticipated release date.

(5) The Warden may approve an overnight furlough outside the institution's commuting area for an inmate with one year or less remaining until the inmate's anticipated release date. The Warden may ordinarily approve an overnight furlough not to exceed once each 90 days.

(6) If the Warden approves a furlough outside the above guidelines, the Warden shall document the reasons in the inmates's central file.

[46 FR 34552, July 1, 1981, as amended at 48 FR 45052, Sept. 30, 1983; 49 FR 8566, Mar. 7, 1984; 59 FR 3511, Jan. 21, 1994]

#### § 570.35 Limitations on eligibility.

(a) The Warden ordinarily may not grant a furlough to an inmate convicted of a serious crime against the person and/or whose presence in the community could attract undue public attention, create unusual concern, or depreciate the seriousness of the offense. If the Warden approves a furlough for such an inmate, the Warden must place a statement of the reasons for this action in the inmate's central file.

(b) The Warden may approve a furlough for an inmate classified a central monitoring case upon compliance with the requirements of this rule and the requirements of part 524, subpart F.

(c) Staff at a contract facility may approve a furlough for a sentenced inmate housed in the contract facility as specified in that facility's written agreement with the Bureau of Prisons.

(d) The Bureau of Prisons does not have the authority to furlough U.S. Marshals prisoners in contract jails. Staff are to refer requests for such furloughs to the U.S. Marshals.

(e) Furlough for pretrial inmates will be arranged in accordance with the rule on pretrial inmates (see part 551, subpart J).

[46 FR 34552, July 1, 1981, as amended at 48 FR 45052, Sept. 30, 1983]

#### § 570.36 Procedures.

(a) An inmate who meets the eligibility requirements of this rule may submit to staff an application for furlough.

(b) Before approving the application, staff shall verify that a furlough is indicated.

(c) Staff shall notify an inmate of the decision on the inmate's application for furlough. Where an application for furlough is denied, staff shall notify the inmate of the reasons for denial.

(d) Each inmate who is approved for a furlough must agree to abide by the specified conditions (table 1) of the furlough.

TABLE 1—CONDITIONS OF FURLOUGH

1. I will not violate the laws of any jurisdiction (federal, state, or local). I understand that I am subject to prosecution for escape if I fail to return to the institution at the designated time.

2. I will not leave the area of my furlough without permission, with the exception of traveling to the furlough destination, and returning to the institution.

3. While on furlough status, I understand that I remain in the custody of the U.S. Attorney General. I agree to conduct myself in a manner not to bring discredit to myself or to the Bureau of Prisons. I understand that I am subject to arrest and/or institution disciplinary action for violating any conditions(s) of my furlough.

4. I will not purchase, possess, use, consume, or administer any narcotic drugs, marijuana, intoxicants in any form, nor will I frequent any place where such articles are unlawfully sold, dispensed, used, or given away.

5. I will not use any medication that is not prescribed and given to me by the institution medical department for use or prescribed by a licensed physician while I am on furlough. I will not have any medical/dental/surgical/psychiatric treatment without the written permission of staff, except where an emergency arises and necessitates such treatment. I will notify institution staff of any prescribed medication or treatment received in the community upon my return to the institution.

6. I will not have in my possession any firearm or other dangerous weapon.

7. I will not get married, sign any legal papers, contracts, loan applications, or conduct any business without the written permission of staff.

8. I will not associate with persons having a criminal record or with those persons who I know are engaged in illegal occupations.